IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:12MJ300)
vs.)) DETENTION ORDER
MICHAEL JOHN POJAR,	
Defendant.	
A. Order For Detention After waiving a detention hearing pursuant to Act on October 10, 2010, the Court orders pursuant to 18 U.S.C. § 3142(e) and (i).	to 18 U.S.C. § 3142(f) of the Bail Reform s the above-named defendant detained
conditions will reasonably assure the	because it finds: nce that no condition or combination of appearance of the defendant as required. no condition or combination of conditions
distribute methamphetam a minimum sentence of te life imprisonment. (b) The offense is a crime of (c) The offense involves a na	nd includes the following: e offense charged: to distribute and possess with intent to ine in violation of 21 U.S.C. § 846 carries in years imprisonment and a maximum of violence.
may affect wheth The defendant hat X The defendant hat X The defendant hat X The defendant is The defendant defendant defendant defendant hat The defendant	of the defendant including: ppears to have a mental condition which er the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. oes not have any significant community he defendant: as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. as a prior record of failure to appear at s.

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(c)	Parole Release pending trial, sentence, appeal or completion of sentence. Other Factors: The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
release	ature and seriousness of the danger posed by the defendant's e are as follows: The nature of the charges in the Indictment and the dant's criminal and substance abuse history.
In dete on the 3142(e <u>X</u> (a)	emining that the defendant should be detained, the Court also relied of following rebuttable presumption(s) contained in 18 U.S.C. § 2) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves: (1) A crime of violence; or (2) An offense for which the maximum penalty is life imprisonment or death; or (3) A controlled substance violation which has a maximum penalty of 10 years or more; or (4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release. That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe: X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

 D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from
 persons awaiting or serving sentences or being held in custody pending appeal; and

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- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: October 10, 2012. BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge